

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Criminal Action No.
	)	07-00064-01-CR-W-SOW
RONALD SHUFELT,	)	
	)	
Defendant.	)	

**MEMORANDUM OF MATTERS DISCUSSED AND  
ACTION TAKEN AT PRETRIAL CONFERENCE**

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on July 9, 2008. Defendant Ronald Shufelt appeared in person and with appointed counsel David Kelly. The United States of America appeared by United States Attorney John Wood.

***I. BACKGROUND***

On February 7, 2007, an indictment was returned charging defendant with possessing a firearm after having been convicted of felonies, in violation of 18 U.S.C. §§ 922(g)(1) and 924(e)(1). On May 22, 2008, after a jury trial, a mistrial was declared due to a hung jury.

The following matters were discussed and action taken during the pretrial conference:

***II. TRIAL COUNSEL***

Mr. Wood announced that he and Matt Whitworth will be the trial counsel for the government. The case agent to be seated at counsel table is Wayne Hartley, ATF.

Mr. Kelly announced that he will be the trial counsel for defendant Ronald Shufelt. Ms. Dana Altieri will assist.

### ***III. OUTSTANDING MOTIONS***

There are no pending motions in this case. [However, defendant sent a letter to the court requesting that his case be continued so that he can review the trial transcripts.]

### ***IV. TRIAL WITNESSES***

Mr. Wood announced that the government intends to call 8 witnesses with stipulations during the trial.

Mr. Kelly announced that defendant Ronald Shufelt intends to call 2 witnesses during the trial. The defendant may testify.

### ***V. TRIAL EXHIBITS***

Mr. Wood announced that the government will offer approximately 40 to 50 exhibits in evidence during the trial.

Mr. Kelly announced that defendant Ronald Shufelt will offer approximately 1 exhibit in evidence during the trial.

### ***VI. DEFENSES***

Mr. Kelly announced that defendant Ronald Shufelt will rely on the defense of general denial.

### ***VII. POSSIBLE DISPOSITION***

Mr. Kelly stated this case is definitely for trial.

### ***VIII. STIPULATIONS***

Stipulations have been executed as to prior felony conviction and interstate nexus of the firearm.

### ***IX. TRIAL TIME***

Counsel were in agreement that this case will take 2 to 3 days to try.

### ***X. EXHIBIT LIST, VOIR DIRE AND INSTRUCTIONS***

The U. S. Magistrate Judge ordered:

That, in addition to the requirements of the Stipulations and Orders filed February 27, 2008, counsel for each party file and serve a list of exhibits he intends to offer in evidence at the trial of this case on the form entitled Exhibit Index and have all available exhibits premarked using the stickers provided by the Clerk of Court by July 9, 2008;

That counsel for each party file and serve requested jury voir dire examination questions by or before noon, Wednesday, July 16, 2008;

That counsel for each party file and serve, in accordance with the requirements of Local Rule 51.1, requested jury instructions by or before noon, Wednesday, July 16, 2008. Counsel are requested to provide proposed jury instructions in both hard copy form, as required by Local Rule 51.1, and by e-mail to the trial judge's courtroom deputy.

### ***XI. UNUSUAL QUESTIONS OF LAW***

No motions in limine are anticipated. There are no unusual questions of law.

### ***XII. TRIAL SETTING***

All counsel and the defendant were informed that this case will be listed for trial on the joint criminal jury trial docket which commences on July 21, 2008.

/s/ Robert E. Larsen  
ROBERT E. LARSEN  
U. S. Magistrate Judge

Kansas City, Missouri  
July 9, 2008

cc: The Honorable Scott O. Wright  
Mr. John Wood  
Mr. Matt Whitworth  
Mr. David Kelly  
Ms. Dana Altieri  
Mr. Jeff Burkholder